

JUNE 26, 2008

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

SHAWN PATTERSON,	)	
	)	
Plaintiff,	)	07 C 6696
	)	
vs.	)	Honorable Judge
	)	James Zagel
COUNTY OF COOK, STATE OF ILLINOIS,	)	
	)	
Defendants.	)	

**DEFENDANTS' ANSWER TO PLANITIFF'S COMPLAINT**

NOW come the Defendants, CAPTAIN COZALINO, OFFICER WAGNER, and K. SIMS, through their attorney RICHARD A. DEVINE, by his assistant, Michael A. Kuczwara Jr., and answer Plaintiff's Complaint as follows:

1. One of my many problems is my hernia and Officer's Lopez, Phillips, Murray and Ms. Johnson have an occasions spoke to dispensary and Sergeants countless times about the matter and was refused medical attention appropriate to my condition.

ANSWER: Defendants deny the allegations contained in paragraph 1.

2. My condition requires surgery, since this facility is not equipped to handle surgery. They have simply neglected my issue instead of making arrangements with the county hospital to perform the required surgery to alleviate my condition.

ANSWER: Defendants deny the allegations contained in paragraph 2.

3. A second yet equally painful issue that of mine has been brought to the attention of Officer's Lopez, Phillips about my tooth ache and they're gone through the motion countless

of times. I've had this problem for 1 year before I was finally brought to the County Hospital to have the first tooth pulled on October 9, 2007. I have two more that I have been addressing for the past week because it's causing me great pain and the need to be pulled.

ANSWER: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3.

4. My final complaint stem from a hemorrhoid condition that was brought to the attention of Officer Wagner on the 11-7 shift how intoll informed Captain Cozalino and Lieutenant Zimney about the matter and was told there were no free officer's to tend to my emergency in which I'll spare you the more colorful details I suffered over the period of a week.

ANSWER: Defendants deny the allegations contained in paragraph 4.

5. The humiliation of having to show my blood stool to a variety of staff before I could find someone to show enough concern to get me down to dispensary to have that most simplest of issues dealt with.

ANSWER: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5.

6. I would like to have the court compensate me for the pain I dealt with, the lack of medical attention. The sum of \$80,000.00.

ANSWER: Defendants deny the allegations contained in paragraph 6.

**AFFIRMATIVE DEFENSES**

Defendants, CAPTAIN COZALINO, OFFICER WAGNER, and K. SIMS through their attorney RICHARD A. DEVINE, by his assistant, Michael A. Kuczwarra Jr., plead the following Affirmative Defenses to Plaintiff's Complaint:

1. The Plaintiff has failed to exhaust his administrative remedies as required by the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a). See Dale v. Lappin, 376 F.3d 652, 655 (7<sup>th</sup> Cir. 2004).

**JURY DEMAND**

Defendants, CAPTAIN COZALINO, OFFICER WAGNER, and K. SIMS, respectfully demand trial by jury.

Respectfully submitted,

RICHARD A. DEVINE  
COOK COUNTY STATE'S ATTORNEY

By: /s/ Michael A. Kuczwarra Jr.  
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Assistant State's Attorney

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